

JANUARY 8, 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOISHATEM MORRAR ,  
Plaintiff,

v.

No.:

MICHAEL CHERTOFF,  
AS THE DIRECTOR OF  
THE DEPARTMENT OF HOMELAND  
SECURITY, ROBERT S. MUELLER, III  
AS THE DIRECTOR OF FEDERAL  
BUREAU OF INVESTIGATIONS

A# 047 917 872

Defendant

08 C 151

JUDGE NORDBERG  
MAGISTRATE JUDGE COLECOMPLAINT FOR MANDAMUS

Plaintiff, HATEM MORRAR, by and through, REEM H. ODEH, of the LAW OFFICES OF BRODSKY & ODEH respectfully requests this Court to enter an order directing the Defendant, MICHAEL CHERTOFF, Director of Homeland Security to adjudicate Plaintiff's application for Naturalization. In support of said request, the Plaintiff states as follows:

**JURISDICTION AND VENUE**

1. The is a civil action brought pursuant to 8 U.S.C. section 1329, and 28 U.S.C. Sections 1331 and 1361, and Section 1447(b) to redress the deprivation of rights, privileges and immunities secured to Plaintiff, by which statutes jurisdiction is conferred, to compel Defendant to perform a duty Defendant owes to Plaintiff, 5 U.S.C. section 704 also confers jurisdiction.

2. Venue is proper under 28 U.S.C. section 1391(b), since Defendant is the Director of the Bureau of Citizenship and Immigration Services (BCIS), an agency of the United States Government, under the Department of Homeland Security. The Defendant Robert S. Mueller III, is the Director of the federal Bureau of Investigations.

**PARTIES**

3. Plaintiff, Hatem Morrar is a 25 year old native of Palestine. He became a Legal Permanent Resident of the United States on September 1, 2001.

4. Plaintiff's alien number is **A#047-917-872**.

5. Defendant, MICHAEL CHERTOFF, is the Director of the Department of Homeland Security. As such, he is charged with the duty of administration and enforcement of all the functions, powers, and duties of Bureau of Citizenship & Immigration Services, the former INS.

The Defendant Robert S. Mueller III, is the Director of the federal Bureau of Investigations.

**CLAIMS FOR RELIEF**

6. On November 27, 2006 Plaintiff filed his application for Naturalization for U.S. Citizenship, paid the appropriate filing fee.
7. On December 21, 2006 the Plaintiff was requested to have his Biometrics completed and fingerprints taken which was successfully completed.
8. That since the filing of the Application for Naturalization which was filed on November 27, 2006, the Plaintiff has never been scheduled for an Interview for Naturalization and has been advised that his application is delayed due to his background check which must be cleared before an interview is scheduled.
9. Prior to the filing of this Complaint, the Plaintiff has made several attempts with the Defendant to inquire about the status of his application, the Plaintiff or his attorneys have made numerous oral and written requests of the Defendant concerning a final adjudication of said applications. No further action was taken by Defendants in this matter.
10. The Defendant, in violation of the Administrative Procedure Act, is unlawfully withholding or unreasonably delaying a decision on the applications of Plaintiff.
11. Plaintiff has exhausted any remedies that may be exist.

WHEREFORE, Plaintiff prays that the Court:

- A. Compel Defendant and those acting under him to perform their duty to rule upon the Plaintiff's applications;
- B. Grant attorney's fees and cost of court
- C. Grant such other and further relief as this Court sees proper under the circumstances.

Respectfully Submitted,

/s/ Reem H. Odeh  
Attorney for Plaintiff

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